IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32688 of 2007(N)

PETITIONER:

1. **PUSHPADHARAN V.,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
   RESIDING AT VATTAVILAPUTHEN VEEDU, KARUVELIL P.O.,
   EZHUKONE, KOLLAM.

2. **K.SASINDRAN,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT,
   KOLLAM, RESIDING AT LOTUS, NETTAYAM, NEDIYARA PO.,
   ANCHAL, KOLLAM.

3. **JALALUDEENKUNJU V.A.,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
   RESIDING AT DARUSSALAM, VADAKUMTHALA P.O.,
   KARUNAGAPPALLY.

4. **M.ALIYARKUNJU,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
   RESIDING AT MULLAKKERI KIZHAKKATHIL, MULLAKKERI,
   PANMANA P.O., CHAVARA, KOLLAM.

5. **ANILKUMAR K.,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
   RESIDING AT BLOCK NO.41, MUTTOM P.O.,
   THUMPAMON-689 502.

6. **R.SYAMALA,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
   RESIDING AT NEELAMKOYICKAL, VILAKKUDY P.O.,
   KUNNIKODU, KOLLAM.

7. **A.K.JAYACHANDRAN,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT,
   KOLLAM, RESIDING AT J.S.BHAVAN, VENNIYOOR,
   NELLIVILA P.O., THIRUVANANTHAPURAM.

8. **CHITHRALEKHA AMMA K.,**
   WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
   RESIDING AT KARTHIKA, PANCHAYAT OFFICE JUNCTION,
   BHOOTHAKULAM, PARAVUR, KOLLAM.

9. NOBIL LAL S.,
WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
RESIDING AT GEETHANJALI, KOTTIYAM P.O., KOLLAM.

10. RAVEENDRAN PILLAI T.A.,
WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
RESIDING AT THENNIKUNNIL VEEDU, MYLOM P.O.,
KOTTARAKKARA, KOLLAM.

11. SREEKUMAR M.,
WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
RESIDING AT SREEVILASAM, NAVAIKULAM P.O.,
THIRUVANANTHAPURAM.

12. GOPAKUMAR D.,
WORKING AS FIELD WORKER, N.F.C.P. UNIT, KOLLAM,
RESIDING AT VAZHAVILAKATHU PUTHEN VEEDU,
ERICHALLOOR, PLAMOOTTUKADA P.O.,
THIRUVANANTHAPURAM.

13. RANJITH S.R.,
WORKING AS FIELD WORKER, N.F.C.P. UNIT,
KOLLAM, RESIDING AT INCHIPULLUVILA VEEDU,
KIDARAKUZHY, KIDARAKUZHY P.O., THIRUVANANTHAPURAM.

14. SREEKUMAR S.,
WORKING AS FIELD WORKER, N.F.C.P. UNIT,
ALAPPUZHA, RESIDING AT ITTIYARAVILAKATHU VEEDU,
ERICHALLOOR, PLAMOOTTUKADA P.O.,
THIRUVANANTHAPURAM.

15. SOBHANA K.,
WORKING AS PEON, PRIMARY HEALTH CENTRE,
KANJIRAMKULAM, NEYYATTINKARA, THIRUVANANTHAPURAM,
RESIDING AT SRUTHILAYAM, GRAMAMVILA,
MULLUVILA P.O., THIRUPURAM, NEYYATTINKARA.

16. VIJAYAN PILLAI,
WORKING AS PEON, PRIMARY HEALTH CENTRE,
SREE NARAYANAPURAM, PAVITHRESWARAM P.O., KOLLAM,
RESIDING AT NEDIYATHU VEEDU, VENGA P.O.,
SATHAMCOTTA, KOLLAM.

17. LIZYKUTTY M.,
WORKING AS PEON, PRIMARY HEALTH CENTRE,
KARAVALLOOR, RESIDING AT OTTAPLAVILA VEEDU,
AVANEESWARAM P.O., KUNNICODU, KOLLAM.

18. PRASAD K.,
WORKING AS PEON, PRIMARY HEALTH CENTRE,
PATHANAMTHITTA, RESIDING AT ANUSADANAM,
MAROR P.O., ELAMANNOOR, PATHANAMTHITTA.

19. PADMAKUMARI T.K.,
WORKING AS PEON, C.H.C.CENTRE, CHAVARA,
RESIDING AT PALOSSERIL VEEDU, ADINADU SOUTH,
KATTILKADAVE P.O., KARUNAGAPPALLY.

20. MAYA B.B.,
WORKING AS PEON, PUBLIC HEALTH CENTRE,
WEST KALLADA, RESIDING AT SABARMATHI, MANAKKARA,
SASTHAMCOTTAH P.O.

21. INDIRA AMMA T.,
WORKING AS PEON, DISTRICT FOOD INSPECTORS OFFICE,
T.B.CENTRE BUILDING, CHINNAKKADA, KOLLAM,
RESIDING AT MEENAKRISHNA, KANNIMEL CHERRY,
KAVANADU P.O., KOLLAM.

BY ADV. SRI.P.B.SURESH KUMAR
SRI.LEO GEORGE

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

3. THE DIRECTOR OF HEALTH SERVICES,
OFFICE OF THE DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.

4. DISTRICT MEDICAL OFFICER,
THIRUVANANTHAPURAM.

5. DISTRICT MEDICAL OFFICER,
KOLLAM.

6. DISTRICT MEDICAL OFFICER,
ALAPPUZHA.

7. SAJI C.,
JUNIOR HEALTH INSPECTOR GRADE II,
VELLARADA PUBLIC HEALTH CENTRE,
THIRUVANANTHAPURAM.

BY SRI.BEJOY CHANDRAN,GOVERNMENT PLEADER- R1 TO R6

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO. 32688 of 2007

Dated this the 6th day of November, 2007

JUDGMENT

Petitioners 1 to 14 are Field Workers and 15 to 21 are Peons in the Health Services Department. As per the special rules relating to appointment to the post of Junior Health Inspector Grade II, petitioners are also eligible to be considered for promotion. They contend that ignoring the fact that they are qualified persons, Government is proposing to embark upon direct recruitment. Apparently, on an earlier occasion, this Court had by Ext.P3 judgment directed the Government to consider the claim of similarly situated persons and further held that direct recruitment may be subjected to such claims.

2. Petitioners contend that juniors to the petitioners have been promoted as Junior Health Inspectors Grade II pursuant to the directions issued by this Court. Petitioners have filed Exts.P4 to P12 before the Director of Health Services.

3. Having heard the learned Government Pleader also, the writ petition is disposed of directing the third respondent

to look into Exts.P4 to P12 and take a decision thereon, in the light of Ext.P3 judgment, within a period of six weeks from the date of receipt of a copy of this judgment.

V. GIRI, JUDGE

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